

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38523 of 2025

Arising Out of PS. Case No.-235 Year-2024 Thana- MUNGER MUFFASIL District- Munger

Shabnam Praveen @ Shabnam devi @ Shabnam Parween W/o Rahmatulla @
Lalu R/o village - Sujawalpur P.S- Mufassil District Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hafiz Shahbaz Arif, Advocate

For the Opposite Party/s : Mr. Suman Kumari Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Section 302, 34 of the Indian Penal Code and Section 27 of Arms Act.

3. As per the prosecution case, the informant has alleged that on account of some property dispute, two brothers were fighting and in the meantime, it is alleged that the petitioner asked her son to bring pistol and on her direction, the pistol was brought and Rahmatulla is said to have fired upon Waliullah, who subsequently died.

4. Learned counsel for the petitioner submits that from mere perusal of the FIR, it would be evident that the petitioner asked her son to bring the pistol and admittedly it was



Rahmatulla who had fired upon Waliullah. It is further submitted that the petitioner has falsely been implicated as no such incident had occurred and one co-accused, namely, Md. Taj Hasan, who is said to have provided the pistol, has been enlarged on bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 08.01.2025, passed in Cr. Misc. No. 88442 of 2024. Learned counsel lastly submits that petitioner has clean antecedent and is custody since 20.06.2024.

5. The learned A.P.P. has vehemently opposed the prayer for bail and has stated that petitioner had asked her son to bring pistol upon which Rahamatulla had fired.

6. Considering the aforesaid submissions made by the parties and taking account that there is no specific allegation of firing upon the petitioner and she is said to have asked her son to bring the pistol, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection Session Case No. 302 of 2024 arising out of Munger Muffasil P.S. Case No. 235 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his



close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

Siwani/-

U		T	
---	--	---	--

